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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/725,300	12/01/2003	Ronald Adrianus Caarls	30758/39867	2879
4743	7590	10/11/2005	EXAMINER	
MARSHALL, GERSTEIN & BORUN LLP 233 S. WACKER DRIVE, SUITE 6300 SEARS TOWER CHICAGO, IL 60606			ROYAL, PAUL	
			ART UNIT	PAPER NUMBER
			3611	

DATE MAILED: 10/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/725,300	CAARLS ET AL.
	Examiner	Art Unit
	Paul Royal	3611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 03 June 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-21 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 01 December 2003 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some *
 - c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>02/18/05</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 02/18/05 has been considered by the examiner.

Response to Amendment

3. The amendment filed on 06/03/05 has been entered.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 7-9 and 11, 13, 20-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Kingston (US 3,968,584).

Kingston teaches an illuminated sign comprising:

a housing (15),

an at least partially opaque front plate (12) mounted to the housing, wherein an opaque layer (14) is disposed on the front plate with at least one opening provided

through the layer exposing the front plate, and wherein the at least one three-dimensional body is disposed on the openings, see column 2, lines 38-53, wherein the three-dimensional bodies may be a paste such as when the plate is opaque or metal and has cutout/patterned characters filled with a light-transmitting plastic;

the sign further comprising:

at least one three-dimensional body comprising (13) which can be comprised of a light transmitting material;

a light source (7),

at least one light guide (5) for coupling light from the light source to the at least one three-dimensional body (13);

wherein the at least one light guide (5) comprises a plate like structure made from a light transmitting material, the plate like structure of the light guide (5) extending parallel to the front plate (12) and engaging the at least one three-dimensional body (13),

the plate like structure comprising a recess (6) in which the light source (7) is disposed.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2-3, 5-6 10, 14-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kingston, as applied to claim 1, in view of Shelton (US 5536558).

Kingston teaches an illuminated sign having the claimed limitations except wherein the light guide contains a fluorescent substance, wherein the light guide comprises an end surface for directing light from the light source through the light guide and into the three-dimensional body, wherein the end surface is optically coupled to the three-dimensional body and conforms to the shape thereof, the three-dimensional body engages an edge of the plate-like structure and wherein the edge of the plate-like structure is beveled.

Shelton teaches a translucent fluorescent plastic illuminated display which includes wherein the light guide (12) comprises an end surface for directing light into the three-dimensional body, the three-dimensional body engages an edge of the plate-like structure and wherein the edge of the plate-like structure is beveled, (see column 11, lines 32-49), to provide displays using translucent plastics which can be formed into desired configurations.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the illuminated sign of Kingston to include wherein the

light guide contains a fluorescent substance, wherein the light guide comprises an end surface for directing light into the three-dimensional body, the three-dimensional body engages an edge of the plate-like structure and wherein the edge of the plate-like structure is beveled, as taught by Shelton, to provide displays using translucent plastics which can be formed into desired configurations.

6. Claims 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kingston, as applied to claim 1, in view of Green et al. (US 3,751,319).

Kingston teaches an illuminated sign having the claimed limitations except wherein the paste is one of a UV-hardening or self hardening paste.

Green et al. teaches a method for making signs and other artistic works which includes applying a UV-hardening paste (3) as a layer of resin to a surface (2) of the sign to provide a non-yellowing protective layer.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the illuminated sign of Kingston to include applying a UV-hardening paste as a layer of resin to provide a non-yellowing protective layer.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

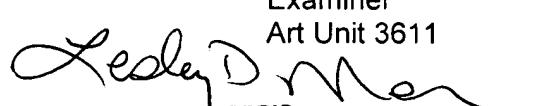
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Royal whose telephone number is 571-272-6652. The examiner can normally be reached on 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley D. Morris can be reached on 571-272-6651. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


P. Royal
10/5/2005

Paul Royal
Examiner
Art Unit 3611


LESLEY D. MORRIS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600